

Credit River Township Meeting Minutes June 7, 2010

Call to Order:

Chairman Leroy Schommer called the meeting to order at 6:00 pm.

Members Present:

Chairman Leroy Schommer, Vice Chairman Brent Lawrence, Supervisor Al Aspengren, Supervisor Bruce Nilsen, Supervisor Tom Kraft

Others Present:

Township Clerk Cathy Haugh, Township Treasurer Holly Batton, Township Engineer Shane Nelson

Supervisor Lawrence made a motion to recess the regular meeting. Supervisor Aspengren offered a second, motion passed 5 – 0

Supervisor Nilsen made a motion to open the Elmwood Avenue Road Vacation Public Hearing. Supervisor Lawrence offered a second, motion passed 5 – 0

Public Hearing – Elmwood Avenue Road Vacation

Clerk Haugh read the letter submitted by Three Rivers Park District regarding the vacation of Elmwood Avenue (attached). Chairman Schommer asked for public comment twice. There being none, Supervisor Kraft made a motion to close the Elmwood Avenue Road Vacation public hearing. Supervisor Nilsen offered a second, motion passed 5 – 0

Supervisor Kraft made a motion to reconvene the regular meeting. Supervisor Nilsen offered a second, motion passed 5 – 0

1. Consider Elmwood Avenue Road Vacation

Petitioner Mark Jensen presented his Affidavit of Personal Service indicating he served the following documents on May 22, 2010: Petition for Road Vacation, Resolution Setting Public Hearing for Vacation of Road, Notice of Public Hearing upon Mark and Leah Jensen, 1013 Crystal Lake Road W., Burnsville, MN 55306, Paul and Beverly Sippert, 9970 Lower 167th Street E., Lakeville, MN 55044, Robert and Linda Haugen, 14924 Summit Oaks Circle, Burnsville, MN 55337 and Hennepin Park Reserve District, 12615 Co. Rd. 9, Plymouth, MN 55337. Mr. Jensen further explained that since serving these documents, Beverly Sippert has passed away and he is working with attorney Ruppe to prepare a new Quit Claim Deed indicating Paul Sippert is now widowed.

Mark Jensen further explained that he is in the process of obtaining approval and signatures from Robert and Linda Haugen for the requested easement.

Supervisor Nilsen made a motion to approve a resolution to grant the Elmwood Avenue road vacation petition contingent on the approved Haugen property easement being delivered to the Town Clerk. Supervisor Kraft offered a second, motion passed 5 – 0

Engineer Nelson clarified that the signed easement is subject to attorney review and if the conditions of the motion are never met the road will not be vacated. Once the conditions are met, the Town Board can then direct the Town Clerk to file the appropriate documents.

2. Consent Agenda

- 1) Approve Minutes from May 3, 2010
- 2) Approve April 2010 Treasurer Report
- 3) Approve May 2010 Developer's Escrow Report
- 4) Approve Fixed Asset Policy
- 5) Approve Year to Date Building Permit Report
- 6) Approve new review process for Anchor Bank checking account statements

Chairman Schommer asked if any Board member or resident wanted any items removed from the Consent Agenda. There being none, Supervisor Aspengren made a motion to approve the 6 Consent Agenda items, Supervisor Nilsen offered a second, motion passed 5 – 0

3. Three Rivers Park District

Three Rivers Park District Police Chief Hugo McPhee presented information regarding public safety in their two parks located in Credit River Township, Cleary Lake Regional Park and Murphy Hanrehan Park Reserve. Chief McPhee introduced Officer Tom Fadden and explained he is the primary officer for these two parks and is officed in the Cleary Lake Park.

Supervisor Kraft stated that the Board has received frequent calls reporting garbage dumping near the Blaylock area and asked that the officers keep an eye on that area. Chief McPhee explained that Three Rivers Park District can issue a misdemeanor illegal dumping citation which is owed to the county it is issued in. Supervisor Kraft asked if a monthly report is available. Chief McPhee explained they do not have a system in place but any serious calls will appear on the Scott County Sheriff's Department reports.

4. Resident Open Forum

Carolyn Schulte, Bridle Path, asked who Mark Jensen was. Chairman Schommer explained that he is the Elmwood Avenue road vacation petitioner.

Beverly Parrish, Whitewood Avenue, asked if the ditches are going to be filled in as she is having difficulty mowing. Engineer Shane Nelson explained that he and Supervisor Lawrence have met with the contractor and are continuing to try to work with them to take care of this as the contractor does not feel responsible.

Linda and Bob Haugen explained that, due to medical reasons, they could not make the public hearing. Chairman Schommer explained that the Board passed a resolution to approve the petition contingent on the Haugen's approval of the easement. Linda Haugen will contact Attorney Ruppe with further questions to finalize this easement approval.

5. Engineer's Report

- 1) 2010 Sealcoating

Engineer Shane Nelson explained that he has prepared the plans and specifications for the 2010 sealcoating project. The schedule estimates a project completion date of August 13th. He further explained that he would like to present crackfilling quotes at the July 6th Board meeting and to schedule crackfilling for completion around July 15th.

Engineer Nelson noted that the specifications indicate the aggregate for this project is gray in color and smaller in size than the aggregate used on state and county highways.

Supervisor Kraft stated a decision needs to be made regarding fog sealing. He further explained the Board estimated \$23,000 for this expense and it should possibly be eliminated. Engineer Nelson explained that he asked for alternate quotes for fog sealing.

Chairman Schommer asked Engineer Nelson to research some options for the excess aggregate sweeping. Engineer Nelson recommended that the contract include at least one sweeping and stated he would make a couple phone calls to the larger contractors.

Engineer Nelson asked if the project working hours should include working on Saturday. Supervisor Lawrence suggested the working hours should be Monday through Friday and Saturday should be eliminated.

Engineer Nelson asked the Board to authorize a resolution approving the plans and specifications and order advertisement for bids.

Chairman Schommer made a motion to approve the plans and specifications and order advertisement for bids for 2010 sealcoating, fog sealing and curb and gutter sweeping. Supervisor Aspengren offered a second, motion passed 5 – 0.

2) Stonebridge update

Supervisor Kraft explained there is \$19,000 left in this fund and he is concerned that the funds will run out before the list is completed. He also reported there is additional heaving in the sidewalks.

Supervisor Nilsen made a motion to authorize payment out of escrow funds to Bohnsack and Hennen in for culvert repair of Dundee Drive in the Stonebridge Development. Supervisor Lawrence offered a second, motion passed 5 – 0

Supervisor Nilsen made a motion to authorize payment out of escrow funds to Mike's Septic for invoice number 7252 for camera work in the stormwater sewer system. Supervisor Aspengren offered a second, motion passed 5 – 0

Supervisor Nilsen made a motion to authorize payment out of escrow funds to EcoCheck in the amount of \$960 for warranty work. Supervisor Aspengren offered a second, motion passed 5 – 0

Supervisor Nilsen made a motion to authorize payment out of escrow funds to Haakanson Anderson in the amount of \$1,549. Supervisor Kraft offered a second, motion passed 5 – 0

6. Old Business

1) Update on Proposed Mediacom / Integra Resolution

Mary Korthour, General Manager, Integra Telecom requested an extension from August 1st to November 1st for the negotiation deadline with Integra Telecom on cable services. Supervisor Lawrence made a motion to extend the Integra franchise completion deadline date from May 1st to November 1st. Supervisor Kraft offered a second, motion passed 5 – 0

Supervisor Lawrence reported he had a recent meeting with representatives from Jaguar Communications and they are still considering applying for a franchise for the southern portion of the Township. Supervisor Lawrence said he was assured by Jaguar that they are aware of and will take care of the outstanding balance owed to the Township.

2) Update on Dean Johnson workshop

Supervisor Lawrence reported that he, Supervisor Nilsen and Clerk Haugh met with representatives of the City of Savage along with Dean Johnson on May 4th to discuss the possible Joint Powers Agreement (JPA). Supervisor Lawrence presented a draft of the JPA that Dean Johnson and Barry Stock, City of Savage, have been working on and requested the Board review this agreement and provide their comments to Supervisor Lawrence by the end of the week and he will compile and pass all comments along to Dean Johnson.

3) Update on Territory planting and fencing project

Supervisor Kraft distributed a financial report for Board review.

Supervisor Nilsen made a motion to authorize an expenditure of \$33,252 which includes tree removal and brush hogging for \$4,140, trimming for \$1,860, removing construction fencing in the amount of \$9,100, and installing construction fencing in the amount of \$112.50, removing existing split rail fencing for \$150, and installing split rail fencing for \$12,555, signs for \$834.50, T-post corner markers for \$4,500. Chairman Schommer offered a second, motion passed 5 – 0 Rob Waccholz confirmed he will use Construction Services to complete this work.

Supervisor Kraft explained there may be additional expenses of about \$10,500 indicated in green on the report. Chairman Schommer made a motion to authorize expenditure not to exceed \$10,500 for the remaining items agreed upon by Supervisors Kraft and Aspengren. Supervisor Nilsen offered a second, motion passed 5 – 0

7. Sheriff's Report

Deputy Dvorak explained that he had not yet received our monthly incident report for distribution tonight. Clerk Haugh provided Deputy Dvorak with her email address so that the Sheriff's Department may begin to email the monthly incident report to the Township.

8. Park Report

1) Backstop and basketball hoops at Casey Park

Supervisor Lawrence reported that park maintenance contractor, Jason Hand, can repair footings for two basketball hoops for \$350 each.

Supervisor Kraft made a motion to authorize Jason Hand to repair footings for two basketball hoops in Casey Park not to exceed \$700. Supervisor Aspengren offered a second, motion passed 5 – 0

2) Creekwood fencing

Supervisor Lawrence reported the "No Motorized Vehicles" sign is down again in Creekwood Park and suggested the Board may want to consider some fencing options for about 150 ft at the bottom of the hill going down to the road in Creekwood Park to eliminate drive through traffic. Supervisor Lawrence will obtain pricing options for Board consideration in the Fall.

9. Clerk's Report

1) New meeting recording software

Clerk Haugh reported the new Soniclear recording software used by businesses and governmental entities has been installed on the Township laptop and is currently recording the meeting. The software can record up to 13 hours at one time. Supervisor Lawrence explained we may need to upgrade our microphone.

Clerk Haugh reported that former Clerk, Jerry Maas, is available to help, in a consulting capacity, with the upcoming 2010 election and asked for Board approval to contract with Jerry Maas for approximately 20 hours of consulting services.

Treasurer Batton asked if Scott County staff could provide this consulting. Clerk Haugh explained the County staff will provide county wide training and information but the former Clerk can provide helpful assistance and knowledge specific to Credit River Township.

Supervisor Nilsen made a motion to contract with Jerry Maas for 2010 election consulting services not to exceed 40 hours until December 31, 2010. Supervisor Aspengren offered a second, motion passed 5 – 0

10. Treasurer's Report

1) Minnesota tax withholding process

Treasurer Batton explained the payment process has changed for payment of Minnesota tax withholding from quarterly to monthly although reporting will still be done on a quarterly basis. Chairman Schommer made a motion to authorize electronic fund transfer payment of Minnesota tax withholding on a monthly basis with quarterly reporting. Supervisor Aspengren offered a second, motion passed 5 – 0

2) MAT Township Liability Insurance policy review

Treasurer Batton explained the CSTS insurance policy deductible is higher than the replacement cost of the Territory CSTS pumps and perhaps this coverage should be reevaluated to only include the control panels.

Supervisor Kraft made a motion to drop the MAT Township Liability Insurance policy pump insurance for Territory, Monterey Heights and South Passage and continue the insurance coverage for the control panels in Territory, Monterey Heights, South Passage and Stonebridge. Supervisor Aspengren offered a second, motion passed 5 – 0

Supervisor Lawrence asked about insurance policy line item “park equipment at 7491 165th Street”. Treasurer Batton explained former Clerk Jerry Maas’ address was used for park insurance. Treasurer Batton will request this address be removed from the policy.

3) Transfer funds

Treasurer Batton requested Board approval to transfer \$155,000 from savings to checking. Supervisor Kraft made a motion to transfer \$155,000 from the savings to checking account. Chairman Schommer offered a second, motion passed 5 – 0

Treasurer Batton asked for Board approval to send out a reminder that the encroachment agreements in Stonebridge are due. The Board approved this request.

Treasurer Batton reported she is meeting with representatives of Anchor Bank regarding remote deposit scanner software for electronic deposits. This banking service is available for \$25 a month. Supervisors Kraft and Aspengren will review the proposal and determine whether to proceed or not and Treasurer Batton will provide the Board with an update at the July 6, 2010 board meeting.

11. Road Report

1) Road access on Sagewood Circle

Chairman Schommer explained 2 driveway road areas on Sagewood Circle were damaged by Lennar Homes during construction. Supervisor Kraft reported that he also inspected the two driveways and confirmed the damage was caused during construction and the repair will be approximately \$500. The Board authorized the repair of approximately \$500 to be taken out of the \$900 inspection escrow.

2) Update on road repair projects

Supervisor Kraft reported the Wagon Wheel/Canter Lane project is finished with a cost of \$30,954.09. The project budget estimate was \$36,660 so the project is \$5,706 under budget. The Flagg Trail area project is almost finished and is currently at a project cost of \$41,879.31. The project budget estimate was \$62,580 so it appears this project will be under budget as well.

3) 210th Street

Supervisor Kraft reported he has recently received some inquiries from residents with concerns about 210th Street. He sent out a letter explaining that Board meeting minutes from two years ago explain that the township has already spent \$30,000 on a 210th Street road pavement feasibility study and when the assessment numbers came in, the position the residents took was to not proceed.

Supervisor Kraft asked the Board to review the feasibility study that Engineer Nelson has prepared for the Hills of Credit River road repair project. Supervisors Kraft and Lawrence and Engineer Nelson will meet to draft a letter to the residents, prepare a resident meeting handout and review the steps that need to be completed. Clerk Haugh will mail the letter to residents the week of June 28th inviting them to a meeting on Monday, July 19th at 7pm at the Town Hall to discuss this feasibility study.

12. New Business

1) Prior Lake Fire Department 2011 budget

Supervisor Lawrence explained that he and Supervisor Nilsen will be attending a meeting on June 16th at 3pm with Prior Lake Fire Chief Doug Hartmann and Spring Lake Township representatives to review the 2011 Prior Lake Fire Department budget process.

2) Update on weeds

Supervisor Aspengren reported that he recently spent a couple hours on weed patrol and did not find any areas of concern at this time.

Chairman Schommer said he spotted thistles that need to be cut in South Passage. He further stated he has noticed a lot of small trees growing in the ditches and perhaps the Board should consider asking Scott County about spraying for Cottonwood and Box Elders.

Chairman Schommer also stated that the township ditch mowing contract for 2011 should include a statement requiring the first cutting to be completed by June 15th. Clerk Haugh will revise this contract for next year.

3) Monterey Heights / South Passage

Supervisor Kraft reported that the Monterey Heights / South Passage Homeowner's Association President informed him that she has been contacted by Great Rivers Electric regarding 30 to 40 trees planted by the developer that are located within the 30 ft utility easement. These trees will need to be moved within the next two years and it does not make sense to wait 2 years until the trees are bigger and more difficult to move. He further explained he inspected the area and determined that all but about 12 or 15 of the trees are CSTS barriers. The Homeowner's Association (HOA) has suggested the cost to move all of the trees would be approximately \$5,000 and he is asking the Board to provide the HOA some direction on how to pay for this cost.

Supervisor Lawrence suggested the cost be spread out among the 50 CSTS property owners with a monthly rate increase. Supervisor Aspengren suggested we ask the residents if they would prefer a special assessment or if they would prefer the monthly rates be increased next year. Supervisor Lawrence also suggested the township coordinate the moving of the trees to make sure they are moved appropriately and will meet all future requirements. Supervisor Lawrence said we need to obtain some more definite costs for both moving the trees, any additional damage repair and administrative costs in order to provide further direction to the HOA. Supervisor Kraft will contact the HOA President and explained the next step will be to obtain more exact costs for these items.

13. Review and Pay Bills

Check Number	To	Amount	Comments
Paid Chk# 000055E	PERA	458.86	May Service
Paid Chk# 000056E	ANCHOR BANK	157.80	Deposits Books/ACH
Paid Chk# 000057E	EFTPS	1,539.56	May Service
Paid Chk# 005584	A MAAS CONSTRUCTION	900.00	21215 Wellington Place Access
Paid Chk# 005585	AL ASPENGREN	57.00	Expense Report
Paid Chk# 005586	ART JOHNSON TRUCKING INC	2,132.00	May Gravel Rd Mtc
Paid Chk# 005587	BANYON DATA SYSTEMS	780.60	Utility Billing Support
Paid Chk# 005588	BOHNSACK & HENNEN EX CAVATIN	1,640.08	Dundee Trail Repair
Paid Chk# 005589	BRENT LAWRENCE	569.78	May Expenses
Paid Chk# 005590	BUSINESS FORMS & ACCOUNTING	161.40	CSTS Billing Postcards
Paid Chk# 005591	CATHY HAUGH	46.35	Expense Report
Paid Chk# 005592	CENTERPOINT ENERGY CONTECH CONSTRUCTION	37.45	Gas Acct 51797876
Paid Chk# 005593	PRODUCTS	812.25	Lucerne Trail Culvert Repair
Paid Chk# 005594	DENNIS KAROW	2,099.60	May Grass Maintenance
Paid Chk# 005595	DUSTCOATING INC	17,994.96	Dustcontrol
Paid Chk# 005596	ECM PUBLISHERS INC	168.00	Legal Publishing
Paid Chk# 005597	ECOCHECK	11,508.33	April CSTS O&M
Paid Chk# 005598	GE CAPITAL	149.64	Billing ID 90133958320

Paid Chk# 005599	GOLIATH HYDRO-VAC INC	150.00	France Blvd draintile S of Cty
Paid Chk# 005600	GOPHER STATE ONE CALL	24.65	Utility Locates
Paid Chk# 005601	HAKANSON ANDERSON ASSOC INC	7,006.50	April Engineering
Paid Chk# 005602	HOLLY BATTON	145.48	May Expenses
Paid Chk# 005603	INTEGRA TELECOM	582.15	Telephone Service
Paid Chk# 005604	KENNEDY & GRAVEN, CHARTERED	77.50	Integra Franchise Legal Svc
Paid Chk# 005605	KRAEMER MINING& MATERIALS INC	21,556.71	Gravel for Roads
Paid Chk# 005606	LENNAR CORPORATION	1,800.00	Access Refunds
Paid Chk# 005607	LEROY SCHOMMER	10.50	May Expenses
Paid Chk# 005608	MAT INSURANCE & BOND TRUST	3,466.00	Annual Insurance
Paid Chk# 005609	MIKES SEPTIC	797.50	Septic Pumping
Paid Chk# 005610	MINNESOTA REVENUE	1,515.00	SSD MPCA Permits
Paid Chk# 005611	MINNESOTA REVENUE MW5	230.15	April 2010 Withholding
Paid Chk# 005612	MVEC	567.50	Electrical Service
Paid Chk# 005613	PRIVATE UNDERGROUND	216.50	May Utility Locates
Paid Chk# 005614	QUALITY SWEEPING SERVICES LLC	2,790.00	Street Sweeping
Paid Chk# 005615	SCOTT COUNTY TREASURER	73.61	Sign Purchase
Paid Chk# 005616	SCOTT SOIL & WATER CONSV DIST	1,516.00	April NPDES Inspections
Paid Chk# 005617	SOUTHWEST SUBURBAN PUBLISHING	163.68	April Legal Publishing
Paid Chk# 005618	THREE RIVERS PARK DISTRICT	729.00	Cleary Park NPDES Escrow Refun
Paid Chk# 005619	TOM KRAFT	76.50	May Expenses
Paid Chk# 005620	XCEL ENERGY	9.25	St Francis Street Light Elect
Paid Chk# 005621	AL ASPENGREN	830.25	May Payroll
Paid Chk# 005622	BRENT LAWRENCE	798.83	May Payroll
Paid Chk# 005623	BRUCE NILSEN	678.77	May Payroll
Paid Chk# 005624	CATHY HAUGH	1,996.06	May Payroll
Paid Chk# 005625	HOLLY BATTON	2,151.99	May Payroll
Paid Chk# 005626	LEROY SCHOMMER	724.95	May Payroll
Paid Chk# 005627	TOM KRAFT	778.97	May Payroll
Paid Chk# 005628	A MAAS CONSTRUCTION	1,803.00	21215 Wellington NPDES Refund
Paid Chk# 005629	ECOCHECK	7,454.26	May 2010 CSTS O&M
Paid Chk# 005630	GALLAGHERS	1,957.03	Brookwood Rd catchbasin repair
Paid Chk# 005631	GOPHER STATE ONE CALL	24.65	May Utility Locates
Paid Chk# 005632	MINNESOTA REVENUE MW5	175.40	May 2010 Withholding
Paid Chk# 005633	PRIOR LAKE BLACKTOP, INC.	72,833.40	Bituminous Patching
Paid Chk# 005634	COURI MACARTHUR & RUPPE	2,247.50	May Legal Services
	TOTAL	179,172.90	

14. Adjourn

There being no further business before the Town Board, Supervisor Nilsen made a motion to adjourn the meeting. Supervisor Lawrence offered a second. Motion passed 5 – 0. The meeting was adjourned at 9:38 pm.

Submitted By: (s/) Cathy Haugh
Township Clerk
Credit River Township

Approved By: (s/) Leroy Schommer
Chairman Board of Supervisors
Credit River Township